

YOUTH SERVICES POLICY

Title: Telephone Usage by Youth and Monitoring of Calls Next Annual Review Date: 05/04/2010	Type: B. Classification, Sentencing and Service Functions Sub Type: 8. Youth Related Services Number: B.8.1
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References: ACA Standards 2-CO-4B-01 (Administration of Correctional Agencies), 4-JCF-3A-01 and 4-JCF-3A-16 (Performance-Based Standards for Juvenile Correctional Facilities), and CJCA Performance-based Standards PP26, PP30, PEP24, PEP28 and PEP35; YS Policies B.5.1 " Youth Code of Comment", and B.8.1 "Youth Orientation"; and the JETS database system	
Approved By: Mary L. Livers, Deputy Secretary	Date of Approval: 05/04/2009

I. AUTHORITY:

Deputy Secretary of Youth Service as contained in La. R.S. 36:405. Deviation from this policy must be approved by the Deputy Secretary.

II. PURPOSE:

To establish the Deputy Secretary's policy regarding the use of telephones by youth and the monitoring of telephone calls at all secure facilities.

III. APPLICABILITY:

Deputy Secretary, Assistant Secretary, Undersecretary, Deputy Assistant Secretaries, and Facility Directors. It is the responsibility of each Director to ensure compliance with this policy and convey its contents to the youth, employees, and the public.

IV. POLICY:

It is the Deputy Secretary's policy that uniform telephone procedures, including the ability to monitor and/or record youth telephone calls to preserve the security and orderly management of the facility and to protect public safety, be established and adhered to at all secure facilities. Each facility shall offer youth (including the hearing and/or speech impaired) reasonable access to telephone communication without overtaxing the facility's ability to properly maintain stability and to avoid abuse of this privilege on the part of any youth.

V. PROCEDURES:

A. General

1. Each youth shall be assigned a personal identification number (PIN), which must be used when placing outgoing telephone calls. The PIN shall be the youth's client ID number.
2. At each secure facility, youth must be provided direct and confidential access to the Investigative Services (PZT) Hotline.
3. Each youth shall provide his assigned facility a master list of up to 20 frequently called telephone numbers inclusive of all family, personal, and legal calls. Each youth's outgoing telephone calls shall be limited to those telephone numbers he has placed on his master list. Changes may be made to the master list at the discretion of the Director, but no less than once each quarter. These changes may be entered by the contractor or by appropriately trained facility staff.

Changes needed on the master list which involves phone numbers of parents or attorneys representing a youth are to be expedited. All attempts should be made to institute such changes within six working days. The six days shall begin to run upon receipt by the appropriate facility staff of the youth's written request that the change be made.

4. For new youth being processed, the PIN and master list numbers shall be entered into the telephone system upon intake at the facility's Reception and Diagnostic Center.
5. Upon the request of a telephone subscriber, the facility may block a telephone number and prevent the subscriber from receiving calls from a youth housed in the facility. To accomplish a block of a particular number, the facility must contact the contractor to request that a universal block be put into place.
6. Each facility's orientation manual must include the information contained in this policy as a means to notify the youth of its contents and verbal notification must be given in the orientation program.

B. Telephone Access for Outgoing Calls:

1. Personal or Family Calls (routine)

Regardless of custody status, youth shall be provided an opportunity to make telephone calls to their home at the State's expense when the youth's case manager determines during a formal counseling contact that the call will promote the goals of the youth's individual intervention plan. These calls shall be documented (time, date, purpose) in the youth's case record.

Telephone access in the youth living areas should be made available when not in conflict with school, work or other programming. Specific times for telephone usage in the various living areas shall be established by the Director, who shall communicate the telephone schedule to all youth, specifying hours during which the telephone is available, maximum length of calls and any limitation on calls as outlined in Section V.B.4 of this policy.

All calls other than those facilitated by the youth's counselor shall be collect calls.

2. Personal or Family Calls (emergency)

Requests for access outside of normally scheduled hours may be made through the Dorm Manager, Youthcare Worker, counselor or shift supervisor.

Upon receiving information of a family emergency, the Director or designee shall notify the youth as soon as possible and provide the youth an opportunity to call his family as deemed appropriate to the circumstances.

3. Legal Calls

Youth shall be given meaningful access to telephones for privileged communications with their attorneys, including being advised that their attorney has requested contact.

Each facility shall advise the youth on the proper way to place a legal call and assist youth, if needed, in making attorney contact.

4. Prohibited Calls:

- a. Remote Call Forwarding (RCF) is a mechanism by which youth may employ a local telephone number that automatically forwards the telephone call to a pre-selected number generally located out of the local calling area code or long distance. RCF, in essence, is an automated 3-way call. RCF is also known as an automated call forwarding or PBX call forwarding. RCF usage creates an opportunity to conduct criminal or illegal or unauthorized activities since the end call location is not readily being identified, verified or its actual location known. This affords untold opportunity for youth to engage in potential scams, to call victims, to facilitate escape attempts and to engage in other conduct representing significant risks to the facility.

- b. The youth population must be put on notice that all third-party telephone calls, including RCF calls, are strictly prohibited and such activity will result in appropriate disciplinary action.
- c. Directors shall develop a monitoring system to analyze the frequency of local calls. High frequency may indicate RCF utilization. When RCF calls are discovered, a system-wide block of the number should be initiated pursuant to Section V.A.5 of this policy.

C. Telephone Access for Incoming Calls:

- 1. Personal or Family calls (routine)

Messages may be relayed at the Director's discretion.

- 2. Personal or Family Calls (emergency)

The Director shall establish a procedure for youth notification of legitimate personal or family emergencies communicated to the facility.

- 3. Legal Calls

Youth must be given notice that their attorney has requested contact. Complete verification of the Attorney of Record is required prior to processing.

D. Phone System Features and Call Monitoring:

- 1. Youth shall be put on notice of the following:

- a. Telephone calls in living areas are subject to being monitored and/or recorded and that "use" constitutes "consent."
- b. It is the youth's responsibility to advise all other parties that conversations are subject to being monitored and/or recorded.
- c. A properly placed telephone call to an attorney shall not be monitored and/or recorded unless reasonable suspicion of illicit activity has resulted in a formal investigation and such action has been authorized by the Deputy Secretary or designee.

- 2. The telephone system will normally terminate a call at the end of the authorized period, (normally 15 minutes); however, the Director or designee may authorize calls of a longer duration as circumstances warrant.

3. The system shall automatically broadcast recorded messages indicating that the telephone call is originating from a secure facility.
4. Only personnel authorized by the Director may monitor youth telephone calls. Information gained from monitoring calls that affect the stability of the facility or threatens the protection of the public shall be communicated to other staff members or other law enforcement agencies. Telephone calls to attorneys may not be routinely monitored (see Section V.D.1.c.); staff shall immediately disconnect from any telephone call if it appears that is the case. All other information shall be held in strict confidence.
5. Youth being processed into the system through the Juvenile Reception and Diagnostic Center will be required to "consent" in writing that their telephone calls are subject to being monitored and/or recorded. A copy of this "consent" shall be placed in the youth's case record under Clip VIII.
6. Youth who have already been assigned to the facility shall be put on notice by a sign posted at each telephone. The sign shall reflect the following information:

ATTENTION:

This telephone has been electronically programmed to monitor and/or record telephone calls. By using this telephone, you consent to the monitoring and/or recording of your conversation, except for properly placed legal calls.

**Office of Juvenile Justice
YS Policy No. B.8.1**

Previous Regulation/Policy Number: B.8.1

Previous Effective Date: May 2, 2008

Attachments/References: